

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

PHYSICIANS FOR HUMAN RIGHTS,

Plaintiff,

v.

U.S. DEPARTMENT OF DEFENSE, et al.,

Defendants.

*

*

*

Civil Action No.: RDB-08-273

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

*

ORDER

For the reasons stated in the foregoing Memorandum Opinion, IT IS this 30th day of December, 2009, HEREBY ORDERED that:

1. Defendants' Motion for Summary Judgment (Paper No. 15) is GRANTED and Plaintiff's Cross Motion for Summary Judgment (Paper No. 16) is DENIED with respect to the adequacy of the search conducted by each Defendant, except with respect to the search conducted by CENTCOM;
2. Defendants' motion is DENIED and Plaintiff's cross-motion is GRANTED with respect to the adequacy of the search conducted by CENTCOM;
 - a. Not later than April 1, 2010, CENTCOM shall: (i) conduct a new search for responsive documents generated from November 1, 2001, until the start date of its new search; (ii) produce all responsive and non-exempt information obtained in this new search; and (iii) submit a renewed motion for summary judgment and any supporting affidavits on this issue. Plaintiff's opposition thereto and cross-motion for summary judgment, if any, shall be filed by not

later than April 30, 2010. Defendants' opposition to Plaintiff's cross-motion, if any, and reply in support of its motion for summary judgment shall be filed by not later than May 21, 2010. Plaintiff's reply in support of its cross-motion for summary judgment, if any, shall be filed by not later than June 11, 2010.

3. Defendants' motion is GRANTED and Plaintiff's cross-motion is DENIED with respect to the withholdings claimed by each Defendant, except with respect to the withholdings claimed by the Joint Staff and the DIA;
4. A ruling is DEFERRED with respect to the withholdings claimed by the Joint Staff and the DIA;
 - a. Not later than February 1, 2010, the Joint Staff and the DIA shall submit the un-redacted copies of their responsive documents to this Court for *in camera* review;
5. Copies of this Order and the foregoing Memorandum Opinion shall be transmitted to counsel of record.

/s/
Richard D. Bennett
United States District Judge